

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

VERONIQUE ELIASON

Plaintiff,

vs.

GOVERNOR SPENCER J. COX; and THE
STATE OF UTAH,

Defendants.

**ORDER ADOPTING REPORT AND
RECOMMENDATION TO DESIGNATE
PLAINTIFF AS RESTRICTED FILER**

Case No. 1:24-cv-00148

District Judge Tena Campbell

Magistrate Judge Daphne A. Oberg

Proceeding without an attorney, Plaintiff Veronique Eliason filed this action against Utah Governor Spencer J. Cox and the State of Utah bringing claims of civil conspiracy, theft, breach of fiduciary duty, intentional and/or negligent infliction of emotional distress, and vicarious liability. (ECF No. 1.) Mrs. Eliason's complaint alleges that Governor Cox and the State of Utah conspired with "dozens of judges" to permit Kirton McConkie and other individuals to "wrongfully gain control of the assets of Joyce Eliason and Max Eliason, her husband's late parents. (Id.)

On October 1, 2024, Magistrate Judge Daphne A. Oberg issued an Order to Show Cause, requiring Mrs. Eliason address why the United States District Court for the District of Utah should not restrict her filings. (ECF No. 13.) Mrs. Eliason was required to respond to the Order to Show Cause by October 15, 2024. (Id.)

The Order to Show Cause deadline has now passed, and Mrs. Eliason has failed to address whether filing restrictions should be imposed. Indeed, while Mrs. Eliason has filed numerous motions since October 1, 2024, none of these filings respond substantively to the Order To Show Cause.

Accordingly, on October 16, 2024, Judge Oberg issued her Report and Recommendation, setting forth undisputed reasoning and factual support for why Mrs. Eliason should be designated a Restricted Filer. (ECF No. 32) (providing detailed background of Mr. and Mrs. Eliason's vexatious litigation practices). The parties were given fourteen days to file objections to the Report and Recommendation, and were cautioned that their failure to file an objection could constitute waiver thereof upon subsequent review. No objections were received. Instead, Mrs. Eliason filed seven motions, including motions to recuse Judge Parrish and Magistrate Judge Oberg and to add them both as defendants. (See ECF Nos. 33–34.) On November 5, 2024, Judge Parrish recused, and the case was reassigned for all further proceedings. (ECF No. 40.)

The court has carefully reviewed the Report and Recommendation and the relevant materials in the file and finds the recommendation correct in all respects. Accordingly, the Report and Recommendation (Docket No. 32) is ADOPTED as the order of the court. Should Mrs. Eliason seek to file any new action pro se, she will be required to:

1. File a motion with the Clerk of Court requesting leave to file a pro se action, attaching:
 - a. the proposed complaint;
 - b. a list of all of her current and previously filed lawsuits;
 - c. a notarized affidavit from Mrs. Eliason reciting the issues she seeks to present and the legal basis asserted for the claims, as well as an assertion

that, to the best of her knowledge, the claims do not relate in any way to the Estate of Max and Joyce Eliason, and are not otherwise duplicative of her or Brett Eliason's prior cases in this district.

Upon receipt of these above-referenced materials, the Clerk of Court will send the proposed complaint, list of cases, and notarized affidavit to a Magistrate Judge for review to determine whether the proposed complaint relates in any way to the estate of Max and Joyce Eliason, is duplicative of her or Brett Eliason's prior cases in this district, or is otherwise without merit. The Magistrate Judge will then forward the materials to the Chief District Judge for further review.

Upon the Chief District Judge's review and consent, the proposed complaint may be filed.

SO ORDERED DATED this 6th day of November, 2024.

BY THE COURT:


TENA CAMPBELL
U.S. District Court Judge